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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 GJERGI LUKE JUNCAL,
15 Defendant.

Case No. 2:22-cr-00008-JCM-EJY

**STIPULATION TO CONTINUE
MOTION DEADLINES AND TRIAL
DATES**
(Third Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Corey Amundson,
18 Chief, Public Integrity Section, Criminal Division, and Jonathan E. Jacobson, Trial Attorney,
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
20 and Navid Afshar, Assistant Federal Public Defender, counsel for Gjergi Luke Juncaj, that the
21 calendar call currently scheduled for September 21, 2022, and be vacated and set to November
22 9, 2022, and the trial scheduled for September 26, be vacated and set to November 14, 2022, or
23 a time and date convenient to this Court.

24 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to
25 and including September 26, 2022, to file any and all pretrial motions and notices of defense.

26 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
shall have to and including October 10, 2022, to file any and all responsive pleadings.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including October 17, 2022, to file any and all replies to dispositive motions.

3 The Stipulation is entered into for the following reasons:

- 4 1. The parties are attempting to resolve discovery issues.
- 5 2. Defense counsel needs more time to investigate certain aspects of case.
- 6 3. Defense counsel has a potential conflict at the time of the current trial date.
- 7 4. The defendant is not incarcerated and does not object to the continuance.
- 8 5. The parties agree to the continuance.
- 9 6. The additional time requested herein is not sought for purposes of delay, but
10 merely to allow counsel for defendant sufficient time within which to be able to effectively
11 complete investigation of the discovery materials provided.

12 7. Additionally, denial of this request for continuance could result in a miscarriage
13 of justice. The additional time requested by this Stipulation is excludable in computing the time
14 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
15 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
16 Section 3161(h)(7)(B)(i), (iv).

17 This is the third stipulation to continue filed herein.

18 DATED this 29th day of July, 2022.

19 RENE L. VALLADARES
20 Federal Public Defender

21 By /s/ Navid Afshar

22 NAVID AFSHAR
Assistant Federal Public Defender

COREY R. AMUNDSON
Chief, Public Integrity Section

By /s/ Jonathan Jacobson

JONATHAN JACOBSON
Trial Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GJERGI LUKE JUNCAJ,

Defendant.

Case No. 2:22-cr-00008-JCM-EJY

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties are attempting to resolve discovery issues.
2. Defense counsel needs more time to investigate certain aspects of case.
3. Defense counsel has a potential conflict at the time of the current trial date.
4. The defendant is not incarcerated and does not object to the continuance.
5. The parties agree to the continuance.
6. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively complete investigation of the discovery materials provided.

7. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including September 26, 2022 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including October 10, 2022 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including October 17, 2022 to file any and all replies.

IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by **Calendar Call**.

IT IS FURTHER ORDERED that the calendar call currently scheduled for September 21, 2022, at the hour of 1:30 p.m., be vacated and continued to **November 9, 2022, at 1:30 p.m.**; and the trial currently scheduled for September 26, 2022, at the hour of 9:00 a.m., be vacated and continued to **November 14, 2022, at 9:00 a.m.**

DATED August 1, 2022.


UNITED STATES DISTRICT JUDGE